

REMARKS

The Final Office Action of March 20, 2008 has been given careful consideration of the applicants. Reconsideration is hereby respectfully requested.

The Office Action

The Examiner again rejected claims 1-27 on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1-23 of U.S. Patent No. 7,227,166. In response, a Terminal Disclaimer is attached.

In response to the last Office Action, the applicants submitted a Terminal Disclaimer to overcome the obviousness-type double patenting rejection. However, the Examiner asserts that the Terminal Disclaimer was not accepted because 1) the ownership interest was not established and 2) the attorney signing the document was not authorized.

As to the ownership interest, the assignment for the subject application to Pressco Technology Inc. is recorded at Reel/Frame 016843/0451. The Notice of recordation is attached for convenience.

The assignment for U.S. Patent No. 7,227,666 was originally mis-recorded due to a typographical error. A Request to Correct the Assignment Recordation was e-filed today. This document is attached. So, the assignment record for U.S. Patent No. 7,227,666 will be corrected to identify Pressco Technology Inc. as the assignee. It is respectfully submitted that the ownership interest of Pressco Technology Inc. is now established in both the subject application and the cited patent.

As to authority to sign, the newly submitted Terminal Disclaimer has been executed by Richard J. Minnich – who has power of attorney in this case. It is respectfully submitted that the undersigned also has prior power of attorney. The Declaration form of record submitted on September 27, 2005 grants a power of attorney to attorneys associated with Customer No. 027885. The undersigned is associated with that Customer Number. Nonetheless, for convenience of review, Mr. Minnich has executed the subject Terminal Disclaimer.

Accordingly, it is respectfully submitted that all rejections are now overcome.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims in the application (Claims 1-27) are now in condition for allowance.

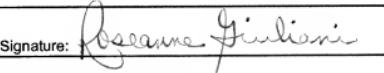
Respectfully submitted,

FAY SHARPE LLP

September 17, 2008

Date


Joseph D. Dreher, Reg. No. 37,123
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
<input type="checkbox"/> transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: September 17, 2008	Name: Roseanne Giuliani